

TIMOTHY J. WALSH (69509)
ATTORNEY AT LAW
710 MISSOURI ST. SUITE 3
FAIRFIELD, CA. 94533
TEL: 707 429-1990
FAX: 707 429-1998
FFLAW@COMCAST.NET
ATTORNEY FOR DEBTOR

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

IN RE THE BANKRUPTCY OF) Case No.: 17-20953
MATTHEW THOMAS POWERS) TJW-1
JASMINE POWERS) MOTION TO COMPEL TRUSTEE TO
Debtor) ABANDON BUSINESS OF DEBTOR
) DATE: APRIL 12, 2017
) TIME: 10:00 AM
) DEPT: D
) COURTROOM 34
) JUDGE: ROBERT S. BARDWIL

MOTION TO COMPEL TRUSTEE TO ABANDON BUSINESS OF DEBTOR

1] Debtors hereby move the Court to compel the trustee to abandon her interest in the assets of the debtor, to wit: that certain sole proprietorship, and self employment efforts, in the practice of law, known as "MATTHEW THOMAS POWERS, ATTORNEY AT LAW", including all assets and receivables thereof, disclosed on the petition in schedule B part 5, line 39, described as "Attorney at Law business equipment: Scanner & Printer \$400, 1 MacAir Computer and Display \$500", and exempted to the full value on schedule C. There are no listed receivables, nor any other value of the practice. The motion includes all value in goodwill, and receivables.

2] The value of the tangible assets is listed as \$900, consisting of the equipment. There are no accounts receivable. There is no tangible, transferable asset in the law license of the debtor Matthew Thomas Powers. There is, however, potential liability to the trustee and

1 the estate. The combination of assets and potential liability renders the interest in the
2 assets by the trustee to be of a potentially negative value.

3] It is in the best interests of the bankruptcy estate, the creditors, and the debtors for
4 the Court to grant this motion to compel the trustee to abandon her interest in the law
5 practice and associated tangibles as soon as possible.

6] It is anticipated that the trustee will join in the motion, or at least not oppose the
7 motion.

8] The basis of this motion is that the asset has no value to the estate, and constitutes a
9 detriment and liability to the estate.

10] This motion is based upon the contents of the motion, the petition and schedules on
11 file with this Court, the declaration of Matthew Thomas Powers, filed concurrent herein,
12 and such other and further evidence the Court deems necessary for a proper determination
13 of the merits of the motion.

14
15 WHEREFORE:

16 The debtors pray the Court grant the motion, compel the trustee to abandon the
17 assets of the law practice of the debtor Matthew Thomas Powers, and for such other and
18 further relief as the Court deems proper.

19
20 Dated this 23rd DAY OF February, 2017

21 /S/ TIMOTHY J. WALSH
22 TIMOTHY J. WALSH
23 ATTORNEY FOR DEBTOR
24
25
26
27
28